

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
EL DORADO DIVISION**

**KENNETH MODICA**

**PLAINTIFF**

**VS.**

**Case No. 04-CV-1104**

**EL DORADO CHEMICAL COMPANY, et al.**

**DEFENDANTS**

**JUDGMENT**

In the above styled and numbered cause, counsel has advised the court that all claims have been settled. It appearing to the court that it is not necessary that this cause remain upon the court's docket;

**IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED** that the above styled cause be, and is hereby, dismissed with prejudice subject to the terms of this settlement agreement; and

**IT IS FURTHER ORDERED** that if any party desires that the terms of settlement be a part of the record herein, those terms should be reduced to writing and filed with the court within thirty (30) days of the entry of this Judgment.

The court retains jurisdiction to vacate this order and to reopen this action upon cause shown that the settlement has not been completed and further litigation is necessary.

**IT IS SO ORDERED** this 4th day of January, 2006.

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/s/ Harry F. Barnes  
Hon. Harry F. Barnes  
U.S. District Judge